

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

RUDELANIA FRIAS,

Plaintiff,

V.

**CENTRAL PORTFOLIO
CONTROL INC.,
LVNV FUNDING LLC,**

Defendants.

Civil Action No.

NOTICE OF REMOVAL

To: Clerk- United States District Court for the
District of New Jersey

PLEASE TAKE NOTICE THAT, on this date, Defendant, Central Portfolio Control, Inc., (“CPC”) pursuant to 28 U.S.C. § 1441(b) and 28 U.S.C. § 1331, hereby removes the above captioned matter to this Court from the Superior Court of New Jersey, Law Division, Special Civil Part, Hudson County. In support thereof, CPC avers as follows:

1. On or about September 13, 2011, Plaintiff filed a Complaint against CPC and LVNV Funding LLC in the Superior Court of New Jersey, Law Division, Special Civil Part, Hudson County under docket number DC-019336-11. (A true and correct copy of Plaintiff's Complaint is attached hereto and marked as Exhibit "A").
2. CPC was served with Plaintiff's Complaint via certified mail on September 23, 2011 and again on September 26, 2011.

3. Plaintiff's Complaint alleges that CPC and LVNV Funding LLC violated the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692, et seq. in their attempts to collect a debt obligation owed by Plaintiff.

4. Based on the foregoing, CPC has timely filed this Notice of Removal within thirty days of being served with the Complaint and within thirty days of the date that the Action was first removable. See 28 U.S.C. § 1446(b).

5. The current action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this Court by CPC pursuant to the provisions of 28 U.S.C. § 1441(b), in that Plaintiff has alleged, *inter alia*, that CPC violated the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692, et seq., thereby asserting claims that arise under federal law.

6. In that the causes of action alleged by the Plaintiff arise from the performance of obligations of the parties within Hudson County, New Jersey, the United States District Court for the District of New Jersey, Newark, should be assigned the Action.

7. CPC, upon filing this Notice of Removal in the office of the Clerk of the United States District Court for the District of New Jersey, has also caused to be filed copies of this Notice with the Clerk of the Superior Court of New Jersey, Law Division, Special Civil Part, Hudson County, to effect removal of this action pursuant to 28 U.S.C. § 1446(d).

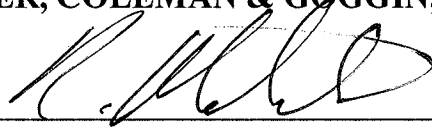
8. On October 13, 2011, Co-Defendant LVNV Funding LLC consented to the removal of the Action to the United States District Court for the District of New Jersey.

WHEREFORE, Central Portfolio Control, Inc., notifies this Court that this action is removed from the Superior Court of New Jersey, Law Division, Special Civil Part, Hudson County, to the United States District Court for the District of New Jersey pursuant to the provisions of 28 U.S.C. §§ 1331 and 1446.

Respectfully submitted,

**MARSHALL, DENNEHEY,
WARNER, COLEMAN & GOGGIN,
P.C.**

By: _____



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Attorneys for Defendant
Central Portfolio Control, Inc.

Dated: October 14, 2011

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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Plaintiff,

V.

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PROOF OF MAILING

I hereby certify that on October 13, 2011, the original of the within Notice of Removal was sent to the Clerk of the United States District Court, New Jersey to be filed and that a copy of the same was forwarded to the following interested persons as follows:

NAME AND ADDRESSES

Yaakov Saks, Esq.
Law Office of
Matthew E. Rose
209 Main Street
Fort Lee, NJ 07024
Attorneys for Plaintiff

Clerk, Hudson County Superior Court
William Brennan Courthouse
583 Newark Avenue
Jersey City, NJ 07306

I certify that the foregoing statements made by me are true. I understand that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

By:

RONALD M. METCHO, ESQ.
Attorneys for Defendant
Central Portfolio Control, Inc.

Dated: October 14, 2011